

REMARKS

The present invention relates to proximity marketing in which, in the words of claim 1, "data relevant to the location of the respective user supporting the terminal" is delivered to the terminal. The applied art does not disclose this feature.

Nevertheless, to expedite prosecution, new claims 21-25 are presented for the Examiner's consideration. These new claims read on the elected invention of claims 1-14. All other claims were canceled.

New main claim 21 recites, among other things, that each customer carries a portable terminal during travel through a venue. Access nodes are positioned at fixed, spaced-apart locations throughout the venue, for example, see nodes 12, 13, 14 of Fig. 2 of the drawings. Each access node is in proximity with a different supplier, for example, node 14 is outside a Sears store, node 13 is outside a McDonalds store, and node 12 is outside a Gap store, in Fig. 2. When a customer 102 is in proximity with one of these suppliers, a database for that supplier is accessed, and a recommendation for transactions relevant to that supplier is retrieved for display on the terminal.

Turning to the prior art, the principal reference, U.S. Patent No. 4,789,983 to Acampora does not disclose customers carrying portable terminals during travel through a venue. The "users" 10-19 depicted in Fig. 1 of Acampora are not customers, but "a data device, printer, personal computer, host computer, telephone, etc.", as stated at col. 3, lines 16-20.

In addition, the concentrators 20, 21 are not in proximity with any suppliers of transactions. Nor is there any retrieval or display of information relating to a customer's proximity to an access node. At best, Acampora is a communications system in which information is

transmitted between various communication devices, some of which, for example, devices 10-11, 12-13, are hard-wired to their concentrators and hence are not portable.

Allowance of all claims is respectfully requested.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

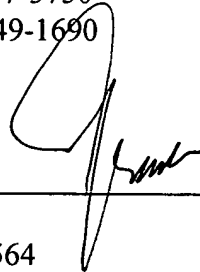
Attorneys for Applicant(s)

489 Fifth Avenue

New York, New York 10017-6105

Tel: (212) 697-3750

Fax: (212) 949-1690

A handwritten signature in black ink, appearing to be 'Alan Israel', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a cursive end.

Alan Israel

Reg. No. 27,564